

05 JUN 2006

UNITED STATES PATENT and TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

HONIGMAN MILLER SCHWARTZ & COHN LLP  
38500 WOODWARD AVENUE  
SUITE 100  
BLOOMFIELD HILLS MI 48304-5048

In re Application of	:	DECISION ON
YAMABE et al	:	
PCT No.: PCT/JP03/09397	:	
Application No.: 10/522,101	:	
Int. Filing Date: 24 July 2003	:	PAPERS FILED
Priority Date: 24 July 2002	:	
Attorney's Docket No.: 215384-94862	:	
For: PROCESSED SOYBEAN MATERIAL AND	:	
METHOD OF PRODUCING THE SAME	:	UNDER 37 CFR 1.42

This is a decision on the declaration filed 02 February 2006, which has been treated as a request for status under 37 CFR 1.42.

**BACKGROUND**

On 24 January 2005, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1). No executed declaration was submitted at such time.

On 09 December 2005, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicant, inter alia, that an "Oath or Declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date." It also stated that items set forth above must be submitted within two months from date of mailing or by 32 months from the priority date, whichever is later. Failure to properly respond will result in abandonment."

On 02 February 2006, applicants submitted an executed declaration which is signed by Setsuko Yamabe as the sole heir of the deceased and legal representative of the first inventor Akira YAMABE.

**DISCUSSION**

The executed declaration submitted is signed by the sole heiress Setsuko YAMABE and legal representative of the deceased inventor (Akira YAMABE) and it satisfies the requirements under 37 CFR 1.42.

Accordingly, the requirements under 37 CFR 1.42 are satisfied and the declaration is acceptable at this time.

**CONCLUSION**

The submission filed under 37 CFR 1.42 is **ACCEPTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision. The 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of this application as **02 February 2006**.



Rafael Bacares  
PCT Legal Examiner  
PCT Legal Office  
Tel: (571) 272-3276  
Fax: (571) 273-0459